1:Heckewelder M-5 (ca. 1800)1819
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such things in nature as virtue on the one hand and crime on the other.

But nothing is so false as this picture of the Indians. The worst that can be said of them is, that the passion of revenge is so strong in their minds that it carries them beyond all bounds. But set this aside, and their character is noble and great. They have no written laws, but they have usages founded on the most strict principles of equity and justice. Murder with them is punished with death. It is true, that as was the case not many centuries ago among the most civilised nations of Europe, the death of a man may be compounded for with his surviving relations; if, however, they do not choose to accept of the terms offered, any one of them may become the executioner of the murderer.

Thieves are compelled to restore what they have stolen, or to make satisfactory amends to the injured party; in their default, their nearest relations are obliged to make up the loss. If the thief, after sufficient warning, continues his bad practices, he is disowned by his nation, and any one may put him to death the next time that he is caught in the act of stealing, or that it can be clearly proved to have been committed by him. I have given two instances of the kind in a former chapter,* and I recollect another which will put what I have said in the strongest light. I once knew an Indian chief, who had a son of a vicious disposition, addicted to stealing, and who would take no advice. His father tired and unable to satisfy all the demands which were made upon him for the restitution of articles stolen by his son, at last issued his orders for shooting him the next time he should be guilty of a similar act.

As to crimes and offences of an inferior nature to murder and theft, they are left to the injured party to punish in such manner as he thinks proper. Such are personal insults and threats, which, among those people are not

* Ch. 7. p. 97.

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considered as slight matters. If the will and intention of the aggressor appears to be *bad;* if the insult offered is considered as the forerunner of something worse; or, as the Indians express themselves, if the "*murdering spirit*" is "*alive*" within him who offers or threatens violence to another, they think themselves justified in preventing the act meditated against them; in such a case, they consider killing the aggressor as an act of necessity and self defence. Yet it is very rarely, indeed, that such punishments are inflicted.* The Indians, in general, avoid giving offence as much as possible. They firmly believe that bad thoughts and actions proceed from the evil spirit, and carefully avoid every thing that is *bad.*

Every person who is well acquainted with the true character of the Indians will admit that they are peaceable, sociable, obliging, charitable and hospitable among themselves, and that those virtues are, as it were, a part of their nature. In their ordinary intercourse, they are studious to oblige each other. They neither wrangle nor fight; they live, I believe, as peaceably together as any people on earth, and treat one another with the greatest respect. That they are not devoid of tender feelings has been sufficiently shewn in the course of this work. I do not mean to speak of those whose manners have been corrupted by a long intercourse with the worst class of white men; they are a degenerate race, very different from the true genuine Indians whom I have attempted to describe.

If any one should be disposed to think that I have exaggerated in the picture which I have drawn of these *original people,* as they call themselves, I appeal to the numerous impartial writers who have given the same testimony respecting them. What says Christopher Columbus himself of the American Indians in his letters to

* See above, ch 18 p. 161.

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settling such an affair was approved by the nation (260), and it did not give rise to a feud between the two families involved unless there was some violation of the established customs by the injured family as reported by Van der Donck (259).

Besides murder and theft, rape, adultery, desertion of children, drunkenness, and slander were considered crimes (262-65). Apparently the conception of what constituted punishment varied among the sources, for some did not regard the payment of wampum as such (266). This was the only retribution levied on the offender recorded by Van der Donck, Heckewelder, Chipps, and Pipe. Zeisberger agreed, except that in the case of adultery he said a man whose wife had been seduced awaited his opportunity and seduced the wife of the seducer. J. W. and W. L. said that failing presents, whipping and even death might be meted out in cases of persistent offenders. J. W. seemed to think that rape was always punished by death.

Another element that shows an increasingly rigorous enforcement of law and order with the passage of time is that involving the murder of a woman by her husband (269). In the first two periods this received no mention, but in the third there are statements by Johnston and Pipe that the husband would not be punished (270). Johnston said that the wife's relatives might take revenge if they considered the act unwarranted. According to the modern informants, such a murderer would be punished anyway, and there might be revenge in addition if her relatives thought the deed unwarranted.

References to the age at which adult status was reached were infrequently given by the earlier sources (267). Van der Donck and Johnston said that the matter was determined by the ability of the individual (268). Chipps said that a youth was considered a man at twenty years and was then his own master even though he could marry before that. None of the modern informants said that coming into adult status was determined by the ability of the individual, although W. L. implied as much by saying that the age was between twenty and twenty-four years. Two of the others placed the age at twenty-five years and the fourth at twenty-one. In a society that placed so much emphasis upon

	Williams	Van der Donck	Lindeström	Zeisberger	Heckewelder	Johnston	Pipe	Chippa	J. W.	W. T.	E. R.	W. L.
Chiefs—Continued												
237. War chief chosen through vision power				+	+				+	+	+	+
238. Body of counselors †	+	+		+	+	+	+	+	+	+	+	+
239. Name *upwaenowuk							+	·	(+)	+	·	+
240. Chosen by people							+	+	+	+	+	+
241. Consider all matters of importance to tribe		+		+	+	+	+	+	+	+	+	+
242. Counselors and chiefs only present at council meetings		S?		S	S	+	+		S	S	S	S
243. All adults except women admitted				S				+	+	S	S	S
Justice												
244. Any mode of compelling payment of debt				+		−	−	−	−	−	−	−
245. Relatives of debtor make restitution				+	+		S		+		+	+
246. Creditor uses force							S	+	•+	−	+	−
247. Redress for civil injuries (theft)	•+	+	+	+	+	−	−	−	+	+	+	+
248. Injured party applies to chief		+			−		+		+		+	+
249. Any punishment inflicted by nation if restitution is made		−		−	−	−	−	−	−	−	−	+
250. Injured party has right to kill thief on second offense		−			+			+	+	+	+	+
251. Murder punished	+	+	+	+	+	+	+	+	+	+	+	+
252. By nation	+	−	+	+	+	+	+	+	+	+	+	+
253. Breach closed by presents		+		+	+	+	+	+	+	+	+	+
254. Amount of wampum as presents †				+	·	+	+	+	+	+	+	+
255. Lacking presents, revenge by relatives	+	+	+		+	+	+	+	+	+	+	+
256. Revenge duty of any individual		•+			−	−	−	−	•+	−	−	−
257. Any one interfere from duty		•+					·	−	−	+	·	+
258. Guilty submits	+	•−				+	+	+	+	+	+	+
259. Feud arise from revenge		•+					−	−	−	−	·	·
260. Revenge approved by nation	+		+	+		+	+	+	+	+	+	s
261. Crimes. Theft	+	+		+	+	+	+	+	+	+	+	−
262. Rape		+					+	+	+	+	+	+
263. Adultery	+	+		+			+	+	+	+	+	+
264. Desertion of children								+	(+)	+	·	+
265. Drunkenness and slander	+							+	(+)			

+ = element present
− = element denied
(+) or (−) = source ambiguous
• = informant could not or would not say
S = some, sometimes, or several
† or * = see Ethnographic Notes, pp. 79-137 for additional information

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774 been left undone, when the ghost ceases the visits.
775 CAPTAIN CHIPPS—Ghosts are not known—have not been heard of.

J. W.—Ghosts are really shades or shadows of spirits, often seen before or after death, they are signs or warnings and can be seen by human eyes. There is much paralysis among the Delaware which is often caused by being struck with a shadow or crossing it or paying any attention to it if one sees it coming. Stopping [822] [753] to look at it, turning around after passing, even innocently, has evil effects. There is no cure for it. Preventive by rubbing [751] streak of ashes on left cheek under eye before going out in the evening. Often marked children as safeguard.

W. T. attributed to the soul the actions of the shadow reported by J. W.

40. Witches and wizards

754 JOHN JOHNSTON—They are very firm in the belief of witchcraft and suppose that there is many among them that can appear [753] in the shape of any animal they please and have power to cause sickness. They believe this to be a supernatural power invested in them by some one of the Deities for the purpose of good that they might have power to heal the sick etc. But that in their present degenerated state they have made a bad use of it, that instead of healing they inflict with sickness and other calamities.

754 CAPTAIN PIPE—They believe in witches and wizards and 756 attribute their powers to the use of certain medicine, said to have been procured of the Nanticokes who had it from a naked infant found by them on the Sea Shore. In 1810, the prophet when [792] preaching against the use of this medicine pointed out five or six men and women on white river as the possessors of it. These [683] persons protested their innocence and were put to the torture, where they were exhorted to save themselves by delivering the means of destruction which they possessd. Seeing no other prospect of escape from death, they professed a knowledge of the arts and promised compliance, but after release they were not able to produce the cause of the difficulty, and they were by common consent condemned to death by burning.